

Jaws

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DOCKET NO.: 5398-027-27 CONT

ASSISTANT COMMISSIONER FOR PATENTS  
PO BOX 1450  
ALEXANDRIA, VA 22313-1450

Re: Serial No.: 10/697,720  
Applicant(s): Stanley N. COHEN, et al.  
Filing Date: October 29, 2003  
For: MAMMALIAN TUMOR SUSCEPTIBILITY GENES AND THEIR  
USES  
Group Art Unit: 1642  
Examiner: Unassigned

SIR:

Attached hereto for filing are the following papers:

Fee Transmittal  
Request for Extension of Time (4 months)  
Notice to Comply (Return Copy)  
Response to Notice to Comply and Preliminary Amendment  
Statement Under 37 C.F.R. § 1.821-1.825 (1 page, executed)  
Substitute Sequence Listing (paper copy, 9 pages)  
Computer Readable Sequence Listing (diskette)

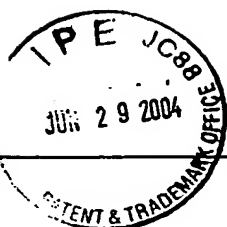
Our check in the amount of \$ 740.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary extension of time to make the filing of the attached documents timely, please charge or credit the difference to Deposit Account No. 50-1442. Further, if these papers are not considered timely filed, then a request is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

PIPER RUDNICK LLP

Steven B. Kelber  
Attorney of Record  
Registration No.: 30,073

Michael Ye  
Registration No.: 47,195



# FEE TRANSMITTAL

Docket No.	5398-027-27 CONT
Serial No.	10/697,720
Filing Date	October 29, 2003
Inventor(s)	Stanley N. COHEN, et al.
Group Art Unit	1642
Examiner	Unassigned

TOTAL AMOUNT OF PAYMENT \$740.00

1. <input checked="" type="checkbox"/> Applicant claims small entity status. <input type="checkbox"/> Charge any <u>UNDERPAYMENT</u> or credit any <u>OVERPAYMENT</u> in the indicated fees to Deposit Account No. 50-1442. <input type="checkbox"/> Charge the indicated fees to Deposit Account No. 50-1442.										FEE CALCULATION (continued)							
2. <input checked="" type="checkbox"/> Check enclosed.										3. ADDITIONAL FEES							
										Large Entity		Small Entity		Fee Description			
										Fee Code	Fee (\$)	Fee Code	Fee (\$)			Fee Paid	
FEE CALCULATION										1051	130	2051	65	Surcharge-late filing fee or oath			
1. BASIC FILING FEE										1052	50	2052	25	Surcharge-late provisional filing fee or cover sheet			
Large Entity		Small Entity		Fee Description				1053	130	1053	130	Non-English Specification					
Fee Code	Fee (\$)	Fee Code	Fee (\$)					Fee Paid	1251	110	2251	55	1-mo. ext. of time				
1001	770	2001	385	Utility filing fee					1252	420	2252	210	2-mo. ext. of time				
1002	340	2002	170	Design filing fee					1253	950	2253	475	3-mo. ext. of time				
1003	520	2003	260	Plant filing fee					1254	1480	2254	740	4-mo. ext. of time		740.00		
1004	770	2004	385	Reissue filing fee					1255	2010	2255	1005	5-mo. ext. of time				
1005	160	2005	80	Provisional filing fee					1401	330	2401	165	Notice of Appeal				
SUBTOTAL (1)								\$0.00	1402	330	2402	165	Appeal Brief				
2. EXTRA CLAIM FEES										1403	290	2403	145	Request for Oral Hearing			
tot. claims				-	20*	=	0	x	\$9	=	0	1501	1330	2501	665	Utility/Reissue Issue Fee	
ind. claims				-	3*	=	0	x	\$43	=	0	1502	480	2502	240	Design Issue Fee	
<input type="checkbox"/>		Multiple Dependent Claims				\$145	=		1504	300	1504	300	Publication Fee				
Large Entity		Small Entity		Fee Description				8001	3	8001	3	Advance Copy of Patent					
Fee Code	Fee (\$)	Fee Code	Fee (\$)					1460	130	1460	130	Petitions to the Commissioner					
1202	18	2202	9	Claims in excess of 20				1806	180	1806	180	IDS Submission					
1201	86	2201	43	Independent claims in excess of 3				8021	40	8021	40	Assignment recordation					
1203	290	2203	145	Multiple dependent claim, if not paid				1801	770	2801	385	For Filing RCE					
1204	84	2204	43	*Reissue independent claims over original patent				1814	110	2814	55	Terminal Disclaimer					
1205	18	2205	9	*Reissue claims in excess of 20 and over original patent				OTHER (indicate below):									
SUBTOTAL (2)								\$0.00									
* or number previously paid, if greater; For Reissues, see above										SUBTOTAL (3)						\$740.00	

Name	Steven B. Kelber	Registration No.	30,073
Signature		Date	6-30-04
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## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/697,720	10/29/2003	Stanley N. Cohen	S93-160 CON2

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 Lumen Intellectual Property Services, Inc.  
 2nd Floor  
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 Palo Alto, CA 94306



CONFIRMATION NO. 3761

## FORMALITIES LETTER



\*OC000000011585019\*

Date Mailed: 12/30/2003

# NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

*Filing Date Granted*

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

Replies should be mailed to: Mail Stop Missing Parts

Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice MUST be returned with the reply.*

Y.G

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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE